

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA

V.

GEORGE CANO

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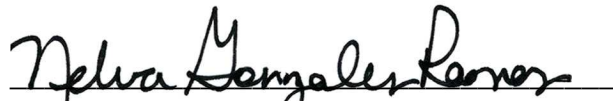
CRIMINAL ACTION NO. 2:99-CR-355

ORDER

George Cano filed a motion requesting that he be appointed counsel to assist him with his appeal from the dismissal of his motion to vacate, set aside or correct judgment pursuant to 28 U.S.C. § 2255 (D.E. 47). The Court granted Cano a Certificate of Appealability. The motion is DENIED for the reasons stated below.

A section 2255 movant is not automatically entitled to appointed counsel. *See United States v. Vasquez*, 7 F.3d 81, 83 (5th Cir. 1993); *see also Pennsylvania v. Finley*, 481 U.S. 551, 555 (1987) (“We have never held that prisoners have a constitutional right to counsel when mounting collateral attacks upon their convictions. Our cases establish that the right to appointment of counsel extends to the first appeal of right, and no further.”) (citation omitted). The Court DENIES Cano’s motion for appointment of counsel (D.E. 47) on appeal.

ORDERED this 11th day of August, 2014.


NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE